

# EXHIBIT 1

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

MARK R. LASKOWSKI and RICHARD  
HALL,

Plaintiffs,

- against -

LIBERTY MUTUAL FIRE INSURANCE  
COMPANY,

Defendant.

Civil Action No.  
5:11-cv-340 (GLS/ATB)

**PLAINTIFFS' SUPPLEMENTAL INITIAL DISCLOSURES**

Pursuant to Fed. R. Civ. P. 26(a)(1), Plaintiffs Mark R. Laskowski and Richard Hall (collectively, "Plaintiffs"), by its attorneys, hereby makes the following disclosures:

- I. Provide the name and, if known, the address and telephone number of each individual likely to have discoverable information that you may use to support your claims or defenses, unless solely for impeachment, identifying the subjects of the information.**

Based on currently available information, set forth below are the individuals Plaintiffs believe may have discoverable information in support of its claims in this action. Plaintiffs reserve its rights to supplement this list upon discovery of other individuals who may possess knowledge of the issues germane to this lawsuit.

Individuals	Subjects of Information
Mark R. Laskowski 95 Christopher Street New York, NY 10014 (212) 242-4773	<ul style="list-style-type: none"> <li>• Observations on day of the subject January 10, 2010 fire (the "Fire") at Plaintiffs residence, 5758 Mill Street, Eaton, NY 13334 (the "Home")</li> <li>• Insurance claim and defendant Liberty Mutual Fire Insurance Company's ("Liberty") handling of same</li> <li>• The nature and extent of Plaintiffs' damages</li> <li>• Subject matters testified to at EUO</li> </ul>

Individuals	Subjects of Information
<p>Richard Hall 95 Christopher Street New York, NY 10014 (212) 242-4773</p>	<ul style="list-style-type: none"> <li>• Observations on day of Fire</li> <li>• Insurance claim and Liberty's handling of same</li> <li>• The nature and extent of Plaintiffs' damages</li> <li>• Subject matters testified to at EUO</li> </ul>
<p>Steven S. Bisgrove Licensed Adjuster NFA – National Fire Adjustment Co., Inc. 5850 Court Street Road Syracuse, NY 13206 (315) 437-7400</p>	<ul style="list-style-type: none"> <li>• Plaintiffs' insurance claim and Liberty's handling of the same</li> <li>• The nature and extent of Plaintiffs' damages</li> </ul>
<p>Barbara A. Carson NFA – National Fire Adjustment Co., Inc. 5850 Court Street Road Syracuse, NY 13206 (315) 437-7400</p>	<ul style="list-style-type: none"> <li>• Damage to Plaintiffs' personal property and contents in Home</li> </ul>
<p>John Manning PO Box 3 Eaton, NY 13334</p>	<ul style="list-style-type: none"> <li>• The electrical wiring of Plaintiffs' Home</li> </ul>
<p>Debra Hay Professional Floor Refinisher West Edmeston, NY 13485 (607) 847-9324</p>	<ul style="list-style-type: none"> <li>• The design work done in Plaintiffs' Home</li> </ul>
<p>Keith Rifenburg Marquis Auction 51 South Main Street PO Box 9 Earlville, NY 13332 (315) 691-4634</p>	<ul style="list-style-type: none"> <li>• The removal, cleaning and storage of Plaintiffs' antiques and other personal property</li> </ul>
<p>Kimberly Guignard Senior Property Loss Specialist II Liberty Mutual PO Box 1053 Montgomeryville, PA 18936</p>	<ul style="list-style-type: none"> <li>• Liberty's handling of Plaintiffs' insurance claim</li> </ul>

Individuals	Subjects of Information
<p>Carol L. Bissonette, CPCU, AIC, FCLS Sr. Special Investigator Liberty Mutual Special Investigation Unit PO Box 4836 Syracuse, NY 13221</p>	<ul style="list-style-type: none"> <li>Liberty's investigation and handling of Plaintiffs' insurance claim</li> </ul>
<p>Jason Karasinski Sr. Fire Investigator Liberty Mutual Insurance Company c/o Hiscock &amp; Barclay LLP</p>	<ul style="list-style-type: none"> <li>Liberty's investigation and handling of Plaintiffs' insurance claim</li> </ul>
<p>Christopher Collyer Sr. Property Loss Specialist III Liberty Mutual Insurance Company Northeast Region Malta Office – (877) 734-3009 Home Office – (518) 581-7475 c/o Hiscock &amp; Barclay LLP</p>	<ul style="list-style-type: none"> <li>Liberty's handling of Plaintiffs' insurance claim</li> </ul>
<p>Deborah Dawson Liberty Mutual Insurance Company PO Box 384 Warsaw, NY 14569</p>	<ul style="list-style-type: none"> <li>Liberty's handling of Plaintiffs' insurance claim regarding reimbursements for storage of personal property and additional living expenses</li> </ul>
<p>David Vredenburg Fire Investigator Madison County Fire &amp; Rescue Service Wampsville, NY 13163 (315) 866-2258</p>	<ul style="list-style-type: none"> <li>The Fire, including the cause thereof</li> </ul>
<p>Chris Lloyd District Chief Eaton Fire District Eaton, NY 13334 (315) 684-3817</p>	<ul style="list-style-type: none"> <li>The Fire, including the cause thereof</li> </ul>
<p>Richard Stoddard, Jr. 2nd Assistant Chief Eaton Fire District Eaton, NY 13334 (315) 684-3817</p>	<ul style="list-style-type: none"> <li>The Fire, including the cause thereof</li> </ul>

Individuals	Subjects of Information
<p>Mark Markowski Eaton Fire District Eaton, NY 13334 (315) 684-3817</p>	<ul style="list-style-type: none"> <li>• The Fire, including the cause thereof</li> </ul>
<p>Firefighters and other personnel from Eaton Fire District who responded to the Fire at the Home on January 10, 2010, including, but not limited to: Danielle Latham, Donna DeGroat, Stacey Price, Deonna Stoddard, Bruce Relyea, Kristi Relyea, Ben Davis, Kyle Riedl, George Eiholzer, Jr., Carlton Abrams, David Montanye, Howard Montanye, Gerald Stinger, Sam Smith, Robert Seaton, and Russ Howard.</p> <p>Plaintiffs believe that other, currently unknown firefighters and related personnel may also have relevant information and will supplement this disclosure once identified.</p>	<ul style="list-style-type: none"> <li>• The Fire, including the cause thereof</li> </ul>
<p>Kevin Neff 1<sup>st</sup> Assistant Chief Madison Fire Department 7362 State Route 20 Oriskany, NY 13424 (315) 893-1893</p>	<ul style="list-style-type: none"> <li>• The Fire, including the cause thereof</li> </ul>
<p>Ron Carney Fire Captain Madison Fire Department 7362 State Route 20 Oriskany, NY 13424 (315) 893-1893</p>	<ul style="list-style-type: none"> <li>• The Fire, including the cause thereof</li> </ul>
<p>Steve Johnson President Madison Fire Department 7362 State Route 20 Oriskany, NY 13424 (315) 893-1893</p>	<ul style="list-style-type: none"> <li>• The Fire, including the cause thereof</li> </ul>

Individuals	Subjects of Information
Tony Carroll Madison Fire Department 7362 State Route 20 Oriskany, NY 13424 (315) 893-1893	<ul style="list-style-type: none"> <li>• The Fire, including the cause thereof</li> </ul>
Mike Bischoff Fire Chief Morrisville Fire Department 50 Main Street Morrisville, NY 13408 (315) 684-3214	<ul style="list-style-type: none"> <li>• The Fire, including the cause thereof</li> </ul>
Brian Jenkins 2nd Assistant Chief Morrisville Fire Department 50 Main Street Morrisville, NY 13408 (315) 684-3214	<ul style="list-style-type: none"> <li>• The Fire, including the cause thereof</li> </ul>

**II. Provide a copy of, or a description by category and location of, all documents, data compilations, and tangible things in your possession, custody, or control that you may use to support your claims or defenses unless solely for impeachment, identifying the subjects of the information.**

Document Type	Location
Documents relating to Plaintiffs' insurance claim	Mark R. Laskowski and Richard Hall 5519 Hill Road Hamilton, NY 13346  NFA – National Fire Adjustment Co., Inc. 5850 Court Street Road Syracuse, NY 13206
Documents relating to Plaintiffs' damages	Mark R. Laskowski and Richard Hall 5519 Hill Road Hamilton, NY 13346  NFA – National Fire Adjustment Co., Inc. 5850 Court Street Road Syracuse, NY 13206  Marquis Auction



Document Type	Location
	51 South Main Street PO Box 9 Earlville, NY 13332
Documents relating to Liberty's handling of Plaintiffs' insurance claim	Mark R. Laskowski and Richard Hall 5519 Hill Road Hamilton, NY 13346  NFA – National Fire Adjustment Co., Inc. 5850 Court Street Road Syracuse, NY 13206
Financial information, including account statements, mortgage statements, tax records, and invoices	Produced
Documents and photographs relating to the Home	Produced
Documents relating to rental apartment in Hamilton, NY	Produced
Plaintiffs' telephone records	Produced
Documents relating to Plaintiffs' personal property	Produced

Nothing herein shall waive Plaintiffs' right to assert the attorney-client privilege, work-product doctrine, or other applicable privileges or doctrines (the "Privilege") with respect to any of the documents made available to defendant for inspection and review, nor do Plaintiffs admit to the relevancy of any such documents as to the issues in dispute in this action. In the event that Plaintiffs produce documents subject to Privilege, Plaintiffs reserve the right to "pull back" such documents so as to have the same effect as if such documents had not been produced. Further, the production of any document that is subject to Privilege shall not constitute a specific, general, or subject matter waiver of Privilege or of Plaintiffs' right to assert that such document is subject to Privilege or otherwise immune from disclosure or to assert that any other document, similar or not, is subject to Privilege or otherwise immune from disclosure

**III. In the space provided below, provide a computation of any category of damages claimed by you. In addition, include a copy of, or describe by category and location of, the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of**

**injuries suffered, making such documents or evidentiary material available for inspection and copying as under Fed. R. Civ. P. 34.**

Plaintiffs claim the following damages:

- \$893,643.50: cost to repair or replace the damage to Plaintiffs' Home caused by the fire;
- \$150,497: additional costs necessary to restore Plaintiffs' Home to pre-loss condition due to Liberty's failure to pay in a prompt manner;
- \$47,705: policy limit for landscaping damages caused by the fire;
- \$16,630: Unpaid additional living expenses through January 2012;<sup>1</sup>
- Unpaid additional living expenses from February 1, 2012 through trial in an amount to be proven at trial;
- Pre- and post-judgment interest;
- Attorneys' fees; and
- Costs.

Plaintiff Mark Laskowski claims the following additional damages:

- \$599,791.89: cost to replace antiques damaged in the fire; and
- \$148,013.93: cost to replace contents damaged in the fire.

Computations of the damages set forth above are fully described in the previously produced expert reports of James Briggs, Mark Kingdeski, Keith Rifenburg, and Barbara Carson, each of which is incorporated by reference herein.

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<sup>1</sup> Plaintiffs' unpaid living expenses from mid-January 2011 through January 31, 2012 are computed as follows: January 2011: \$550 in rent, \$50 in storage; February 2011: \$1,100 in rent and \$100 in storage; March 2012: \$1,100 in rent and \$100 in storage; April 2012: \$1,100 in rent and \$100 in storage; May 2012: \$1,100 in rent and \$100 in storage; June 2012: \$1,100 in rent and \$100 in storage; July 2012: \$1,100 in rent and \$100 in storage; August 2012: \$1,100 in rent and \$100 in storage; September: \$1,650 in rent; \$100 in storage; October: \$550 in rent, \$100 electric, \$780 oil; November: \$550 in rent, \$100 electric, \$350 oil; December: \$550 in rent and \$100 electric; January \$550 in rent and \$100 electric. Additionally, Plaintiffs incurred moving expenses in the total amount of \$2,150 in connection with the move of their residence and the move of their personal items out of storage.




**IV. Attach for inspection and copying as under Fed. R. Civ. P. 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment.**

Not Applicable.

Plaintiffs will supplement these initial disclosures as may be required under Fed. R. Civ. P. 26(e).

Dated: January 27, 2012



Finley T. Harekham, Esq. (#512551)  
Dennis J. Artese, Esq. (#515679)

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Attorneys for Plaintiffs,  
Mark R. Laskowski and Richard Hall

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**CERTIFICATE OF SERVICE**

I, Dennis J. Artese, attorney for Plaintiffs, hereby certify that on January 27, 2011 the foregoing Plaintiffs' Supplemental Initial Disclosures was served upon:

Thomas J. O'Connor, Esq.  
Hiscock & Barclay LLP  
50 Beaver Street, Fifth Floor  
Albany, NY 12207-2830

by Federal Express for delivery on Monday, January 30, 2011.

  
Dennis J. Artese